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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

RUBEN JUAREZ, an individual and
ISELA HERNANDEZ, an individual

Plaintiffs,

v.

PRECISION VALVE & AUTOMATION,
Inc., a corporation and DOES 1-20

Defendants.

Case No.: 2:17-cv-03342

**DECLARATION OF VANESSA L.
LOFTUS-BREWER IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANT PRECISION VALVE &
AUTOMATION, INC.'S MOTION FOR
SUMMARY JUDGMENT**

Date: October 1, 2018

Time: 1:30 p.m.

Ctrm: 5D, 5th Floor

Judge: Hon. Otis D. Wright II

DECLARATION OF VANESSA L. LOFTUS-BREWER

I, Vanessa L. Loftus-Brewer, hereby declare as follows:

1. I am over the age of 18 and am not a party to this action. The following facts are within my personal knowledge and if called as a witness, I could and would competently testify thereto under oath.

2. I am an attorney licensed to practice law in the State of California, an associate in Balaban & Spielberger LLP and am attorney of record for plaintiffs herein.

3. Attached as Exhibit 1 is a true and correct copy of pertinent portions of the deposition of Ruben Juarez Volume I taken on March 30, 2015.

4. Attached as Exhibit 2 is a true and correct copy of pertinent portions of the deposition testimony of Ruben Juarez Volume II taken on May 20, 2015.

5. Attached as Exhibit 3 is a true and correct copy of the pertinent portions of the deposition testimony of Ruben Juarez Volume I taken on March 8, 2018.

6. Attached as Exhibit 4 is a true and correct copy of the pertinent portions of the deposition testimony of Ruben Juarez Volume II taken on March 15, 2018.

7. Attached as Exhibit 5 is a true and correct copy of the video of the PVA 350 at <https://www.youtube.com/watch?v=w9UpClxLyRo> published on August 16, 2012.

8. Attached as Exhibit 6 is a true and correct copy of the video of the PVA machine at <https://vimeo.com/283053359> downloaded on August 16, 2018.

9. Attached as Exhibit 7 is a true and correct copy of the video of the PVA machine taken on May 6, 2010 at <https://www.youtube.com/watch?v=CummunqWVs>.

10. Attached as Exhibit 8 is a true and correct copy of the PVA Inc. coating Video downloaded on August 16, 2018.

1 11. Attached as Exhibit 9 is a true and correct copy of the PVA Inc. video
2 taken on April 11, 2012 during the PVA Inc. demonstration.

3 12. Attached as Exhibit 10 is a true and correct copy of the pertinent portion of
4 the Arathane MSDS sheet produced by PVA Inc., bate stamp number 0304 on or about
5 December 20, 2017.

6 13. Attached as Exhibit 11 are pertinent portions of the true and correct
7 product sheet PVA bate stamp 280, dated April 27, 2009.

8 14. Attached as Exhibit 12 is a true and correct copy of the Selective Coating
9 Equipment Comparison chart PVA bate stamp number 0220 served on or about
10 December 20, 2017.

11 15. Attached as Exhibit 13 is a true and correct copy of the System Debug
12 dated March 1, 2009 served as PVA bate stamp number PVA 0277.

13 16. Attached as Exhibit 14 is a true and correct copy of the Hawthorne
14 Hazard Communication produced in discovery SPX002075, 2132.

15 17. Attached as Exhibit 15 is a true and correct copy of a pertinent portions of
16 the Operation and Maintenance Manual bate stamp PVA 69 served on or about
17 December 20, 2017.

18 18. Attached as Exhibit 16 is a true and correct copy of the pertinent portions
19 of the Final Shipment Sign-Off, bate stamp number 272 served on or about December
20 20, 2017.

21 19. Attached as Exhibit 17 is a true and correct copy of the pertinent portions
22 of the Operations and Maintenance Manual, promotional material, and sales
23 documents, bate stamp number 63, 64, 219, 220, 277, 279, 280 served on or about
24 December 20, 2017.

1 20. Attached as Exhibit 18 is a true and correct copy of the pertinent portions
2 of the Operation and Maintenance Manual, bate stamp number 40 served on or about
3 December 20, 2017.

4 21. Attached as Exhibit 19 is a true and correct copy of the pertinent portions
5 of the PVA manual bate stamp number 30, 31, 32, and 51 served on December 20,
6 2017.

7 22. Attached as Exhibit 20 is a true and correct copy of the pertinent portion of
8 the Equipment Comparison Chart listed on pva.net in April of 2009 pulled from the
9 Wayback machine on August 20, 2018.

10 23. Attached as Exhibit 21 are true and correct copies of photographs
11 produced by PVA Inc. bate stamp number 4540, 4539, 4538, and 4537 produced on or
12 about July 18, 2018.

13 24. Attached as Exhibit 22 is a true and correct copy of pertinent emails and
14 additional documents produced by PVA Inc. in discovery including bate stamp
15 numbers 4463-4481, 23-24, 302-317, 340-347, 1689-1690, 1695-1702, 1747-1749,
16 1775-1776, 1812-1817, 1684, 1689, 1690, 1691, 1698-1702, 1708, 1714-1719, 1820-
17 1826, 2263, 2131, 2153, 2169, 2080, 2084, and 1680.

18 25. Attached as Exhibit 23 is a true and correct copy of the Wet Film
19 Thickness Gauge produced by PVA bate stamp number 1181.

20 26. Attached as Exhibit 24 are pertinent portions true and correct copies of the
21 PVA Non-Disclosure Statements on or about May 3, 2018 and emails bate stamp
22 numbers 1669-1670.

23 27. Attached as Exhibit 25 are pertinent portions of true and correct copies of
24 sales documents produced by PVA on or about December 20, 2017.

25 28. Attached as Exhibit 26 are the pertinent portions of true and correct copies
26 MSDS sheets produced by PVA and referenced on December 20, 2017.
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1 29. Attached as Exhibit 27 are pertinent portions of true and correct copies of
2 emails, diagrams, and MSDS sheets produced by PVA Inc. in discovery on or about
3 December 20, 2017.

4 30. Attached as Exhibit 28 is a true and correct copy of the exemplar Xylene
5 sheet.

6 31. Attached as Exhibit 29 is a true and correct copy of pertinent portions of
7 the documents produced by PVA Inc. during the discovery process including PVA
8 0063, 0064, 0069, 0220, 279-280, 383-390 served on or about December 20, 2017 as
9 well as 1657-1661, 1747-1749 served on or about January 11, 2017, which include
10 emails (with attachments), photographs, additional PVA Inc. documents related to the
11 subject machine, portions of the Operation and Maintenance Manual, and the Selective
12 Coating Equipment Comparison Chart.

13 32. Attached as Exhibit 30 is a true and correct copy of pertinent portions of
14 documents produced by PVA Inc. during the discovery process on or about January 11,
15 2017 including PVA 2237-2239, which is an email chain between PVA Inc. employees
16 regarding Space X.

17 33. Attached as Exhibit 31 is a true and correct copy of the pertinent portions
18 of the documents produced by PVA Inc. during the discovery process on or about
19 January 11, 2017 including bate stamp numbers PVA 0030, 0031, 0032, 0040, 0041,
20 0051, which includes various sections of the electronic manual produced by PVA Inc.
21 in the discovery process.

22 34. Attached as Exhibit 32 is a true and correct copy of the pertinent portions
23 of the documents produced by PVA Inc. during the discovery process on or about
24 January 11, 2017 PVA bate stamp number PVA 1883-1885, which includes emails
25 between PVA Inc. employees titled a "Space X coating inspection."
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1 35. Attached as Exhibit 33 is a true and correct copy of pertinent emails
2 produced by PVA Inc. in discovery on or about December 20, 2017.

3 36. Attached as Exhibit 34 is a true and correct copy of documents produced
4 by PVA Inc. on or about January 11, 2017 including bate stamp numbers PVA 420-
5 423, and 1183-1304 which includes PVA materials being ordered by Space X, ongoing
6 Services, and design specifications.

7 37. Attached as Exhibit 35 is a true and correct copy of a photographs of the
8 PVA 350 produced by PVA Inc. on or about July 18, 2018 bate stamp PVA 4531.

9 38. Attached as Exhibit 36 is a true and correct copy of the documents
10 produced by PVA Inc. in discovery including bate stamp numbers PVA 1680-1685,
11 1725-1731, 1812-1817, 1827 served on or about December 20, 2017 as well as 4449-
12 4452 served on or about December 28, 2017.

13 39. Attached as Exhibit 37 is a true and correct copy of the documents
14 produced by Space X including SPC002075 and 2132.

15 40. Attached as Exhibit 38 is a true and correct copy of the First Amended
16 Complaint dated April 24, 2018.

17 41. Attached as Exhibit 39 is a true and correct copy of Plaintiffs' Initial
18 Disclosures served on August 16, 2017 and Plaintiffs' Supplemental Disclosures served
19 on July 10, 2018.

20 42. Attached as Exhibit 40 is a true and correct copy of Plaintiff Ruben
21 Juarez's Response to Defendant's Request for Interrogatories, Set One, served on
22 September 8, 2017.

23 43. Attached as Exhibit 41 is a true and correct copy of Plaintiff Isela
24 Hernandez's Response to Defendant's Request for Interrogatories, Set One, served on
25 September 8, 2017.
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1 44. Attached as Exhibit 42 is a true and correct copy of Defendant Precision
2 Valve & Automation Inc.'s Interrogatories to Plaintiff Isela Hernandez, Set One, served
3 on July 17, 2017.

4 45. Attached as Exhibit 43 is a true and correct copy of Plaintiff Ruben
5 Juarez's Response to Defendant's Request for Interrogatories, Set Two, served on May
6 8, 2018.

7 46. Attached as Exhibit 44 is a true and correct copy of Plaintiff Isela
8 Hernandez's Response to Defendant's Request for Interrogatories, Set Two, served
9 May 8, 2018.

10 47. Attached as Exhibit 45 is a true and correct copy of the Complaint filed on
11 February 28, 2017.

12 48. Attached as Exhibit 46 is a true and correct copy of the emails to Space X
13 dated March 3, 2015.

14 49. Attached as Exhibit 47 is a true and correct copy of the toxicology report
15 dated November 10, 2015.

16 50. Attached as Exhibit 48 is a true and correct copy of the report by Isaac
17 Regev M.D. dated February 3, 2015.

18 51. Attached as Exhibit 49 is a true and correct copy of the Workers'
19 Compensation Claim Forms dated September 24, 2014.

20 52. Attached as Exhibit 50 is a true and correct copy of the patient forms dated
21 March 25, 2015.

22 53. Attached as Exhibit 51 is a true and correct copy of the Hamlin Psyche
23 Center records date of evaluation listed as March 31, 2016.

24 54. Attached as Exhibit 52 is a true and correct copy of the Declaration of Jose
25 Vasquez dated April 10, 2018.
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55. Attached as Exhibit 53 is a true and correct copy of pertinent portions of the deposition of Ruben Juarez Volume III that took place on October 21, 2015.

/s/ Vanessa L. Loftus-Brewer
VANESSA L. LOFTUS-BREWER